

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 5TH OCTOBER 2007 / 13TH ASWINA 1929

Crl.MC.No. 2347 of 2007()

CRIME NO. 135 OF 2007 OF PALLURUTHY POLICE STATION

PETITIONER:

SREEKUMAR T.T., AGED 34 YEARS,  
S/O E.R.THANKAPPAN, THOPPAN PARAMBIL,  
PALLURUTHY, KOCHI.

BY ADV. SRI.S.RAJEEV

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY  
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.  
(CRIME NO.136 OF 2007 OF PALLURUTHY POLICE  
STATION)
2. MANOJ, S/O MANOHARAN,  
AGED 27 YEARS, PUNNAKKAPALLY,  
NELSON MANDELA ROAD, PALLURUTHY, KOCHI-6.
3. RONY, S/O PERRERA, AGED 22 YEARS,  
VADAYANEZHATHU HOUSE, PALLURUTHY,  
NAMBYAPURAM ROAD.
4. VINEESH, S/O VIJAYAN, AGED 22 YEARS,  
ANJYILLETU, PALLURUTHY, KOCHI-6.
5. RAJI, AGED 24 YEARS,  
VILAKKUMPADAM, SDPY ROAD,  
PALLURUTHY, KOCHI-6.
6. MANEESH, S/O VIJAYAN, AGED 20 YEARS,  
ANJYILLETU, PALLURUTHY, KOCHI-6.
7. KUTTAN @ SUNEESH, S/O BOSE,  
AGED 22 YEARS, CHUMATHARA VEEDU,  
PIPELINE ROAD, PALLURUTHY, KOCHI-6.
8. THAMBU @ SATHEESH, AGED 22 YRS.  
S/O. PAZHANISWAMY CHETTIYAR  
CHELLAYI BHAGAM, NEAR KSEB OFFICE  
PALLURUTHY, KOCHI -6.

R1 BY PUBLIC PROSECUTOR SRI. M.S. BREEZ

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION  
ON 05/10/2007, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**R. BASANT, J.**

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CL.M.C.No. 2347 of 2007  
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Dated this the 5th day of October, 2007

**ORDER**

This petition has been filed by the petitioner, who is the defacto complainant in Crime no.136 of 2007 of Palluruthy police station registered, inter alia, under Sections 326 and 307 r/w. 149 I.P.C. The petitioner has come to this Court with the grievance that anticipatory bail was unjustifiably granted to the accused persons.

2. The learned Prosecutor was directed to take instructions. The learned Prosecutor submits that the investigation is now complete. Final report has already been filed. Cognizance has been taken by the committal court. Committal proceedings has been registered. The case stands posted to 25.10.2007.

3. Learned counsel for the petitioner submits that the learned Sessions Judge may be directed to consider the application for bail and impose appropriate conditions.

4. Needless to say the learned Sessions Judge must consider the bail application and pass appropriate orders in the light of the earlier order granting anticipatory bail. The petitioner shall be at liberty to appear before the learned Sessions Judge and make his

submissions, if any. Appropriate orders must be passed by the learned Sessions Judge. I find absolutely no reason at this stage to interfere with the impugned order of anticipatory bail passed by the learned Sessions Judge. The grievance of the petitioner must be considered by the learned Magistrate on merits and in accordance with law.

5. This petition is accordingly dismissed.

**(R. BASANT)**  
Judge

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